

## REMARKS

This amendment responds to the office action mailed March 18, 2009. In the office action the Examiner:

- rejected claims 1-24, 26-30 and 48 under 35 U.S.C. 103(a) as being unpatentable over Allard et al. (US 6,249,773) in view of Yonezawa et al. (US 5,905,973);
- rejected claims 31 and 49 under 35 U.S.C. 103(a) as being unpatentable over Allard et al. (US 6,249,773) in view of Yonezawa et al. (US 5,905,973) and further view of Daughtrey (US 7,409,643);
- rejected claim 25 under 35 U.S.C. 103(a) as being unpatentable over Allard et al (US 6,249,773) in view of Yonezawa et al. (US 5,905,973) and further view of Szabo (US 5,954,640);
- rejected claims 32-34 and 40-43 under 35 U.S.C. 103(a) as being unpatentable over Himmel et al. (US 6,211,874) in view of Gibson (US 6,313,854) and further in view of Kaply (US 6,215,490);
- rejected claim 35 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further view of Gavron et al. (“Gavron”, “How to Use Microsoft Windows NT 4 Workstation”);
- rejected claim 36 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further in view of Tang et al. (US 5,793,365);
- rejected claims 37-39 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further in view of Itoh (US 5,966,122);
- rejected claim 44 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further in view of Moore et al. (US 6,330,575);
- rejected claim 45 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further view of Collins-Rector et al. (US 6,188,398);
- rejected claim 46 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further view of Applicant’s admitted prior art; and

- rejected claim 47 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and Applicant's admitted prior art and further in view of Lyengar et al. (US 6,360,205).

### **MCKESSON STATEMENT**

In view of *McKesson Information Solutions v. Bridge Medical* (Fed. Cir. 2007), Applicants wish to inform the Examiner the prosecution history of US Patent Applications may contain information relevant to the pending application:

U.S. Patent Application 09/559,888, entitled "Method and Apparatus for Displaying Content on a Display Device," filed on April 6, 2000;

U.S. Patent 7,096,426, entitled "Clustered Presentation of Objects with Group and Individual Identity in, and Virtual Layer Composition or, Electronically Recorded, Computer Presented Media," filed on May 3, 2000;

U.S. Patent 7,542,920, entitled "System for Interactive, Computer Assisted Online Auctions," filed on July 29, 2000;

U.S. Patent Application 09/631,238, entitled "System and Method for Constructing and Displaying Active Virtual Reality Cyber Malls, Show Rooms, Galleries, Stores, Museums, and Objects Within," filed on August 2, 2000;

U.S. Patent 7,308,653, entitled "Automated Scrolling of Browser Content and Automated Activation of Browser Links," filed on July 29, 2000; and

U.S. Patent Application 11/924,582, entitled "Automated Scrolling of Browser Content and Automated Activation of Browser Links," filed on October 25, 2007.

The Examiner is encouraged to review the art made of record, office action(s) and the notice of allowance, if any, in the above-mentioned application, all of which are available on PAIR.

### **INTERVIEW SUMMARY**

Applicants' attorneys thank Examiner Tran for her comments during a telephone interview on August 18, 2009 with Douglas J. Crisman and Henry Tang. Proposed amendments to claims 1 and 32 were discussed with respect to the cited references. No agreement was reached.

### **OVERVIEW OF CHANGES TO THE CLAIMS**

Claims 1, 9-12, 14, 16, 18-29, 31, 32, 34, 35, 37, 41, 42, 43 and 48-49 have been amended to clarify the claims without changing the scope of the claims. Claims 9, 10, 12, 16, 18 and 22-26 have been amended to depend from claim 48.

Support for the amendment to claim 32 can be found in the paragraph beginning at page 2, line 8, the paragraph beginning at page 13, line 8 and the paragraph beginning at page 30, line 10 of the amended specification.

Claims 50-62 have been added. Support for claims 50-54 can be found in at least claims 2-6. Support for claims 55-56 can be found in at least claims 7 and 8. Support for claims 57-63 can be found in at least the paragraph beginning at page 21, line 9, the paragraph beginning at page 22, line 14 and the paragraph beginning at page 25, line 1 of the amended specification.

Claims 63-65 have been added. Support for claims 64-66 can be found in at least the paragraph beginning at page 30 and line 11, the paragraph beginning on page 32 at line 1 and original claim 32 as filed.

With respect to all amendments, Applicants have not dedicated or abandoned any unclaimed subject matter. Moreover, Applicants have not acquiesced to any characterizations of the invention, nor any rejections or objections of the claims, made by the Examiner.

After entry of this amendment, the pending claims are: claims 1-65.

### **REMARKS CONCERNING REJECTIONS UNDER 35 U.S.C. 103**

To establish prima facie obviousness of a claimed invention, all the claim elements must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Finding all the claim elements in the prior art is necessary, but not sufficient. *KSR Intern. Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007) ("a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art"). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

**A. Rejection of claims 1-24, 26-30 and 48 under 35 U.S.C. 103(a) as being unpatentable over Allard et al. (US 6,249,773) in view of Yonezawa et al. (US 5,905,973).**

- 1. The combination of Allard and Yonezawa fails to disclose retrieving at least one associated webpage for each one of the selected plurality of digitally stored objects and simultaneously displaying the retrieved associated webpages in a single window.**

As amended, Claim 27 requires:

displaying an array of digitally stored objects;  
selecting a plurality of digitally stored objects from the array of digitally stored objects, wherein each one of the selected plurality of digitally stored objects has at least one associated webpage;  
after the selecting step, retrieving the at least one associated webpage with each one of the selected plurality of digitally stored objects, resulting in a plurality of retrieved webpages; and  
simultaneously displaying together each one of the retrieved webpages in a single window.  
(Emphasis added).

Allard discloses adding items to a virtual shopping cart or list. (Allard, Abstract) In Allard, the selected items have associated inventory data. (Allard, col. 4, lns 11-22) However, Allard does not teach or suggest that the inventory data is associated with a webpage. Thus, Allard fails to teach “simultaneously displaying together each one of the retrieved webpages in a single window” as required by claim 27.

Yonezawa discloses adding items to a virtual shopping cart and viewing the items in the shopping cart. (Yonezawa, col. 5, lns 13-37). In Yonezawa, each item has associated item data which includes a shop code, item code, item name and unit price (Yonezawa, Figure 5 and col. 5, lns 38-46). In other words, the item data is at most a collection of numerical and textual information. Yonezawa does not teach or suggest that the item data is associated with a web page. Thus, Yonezawa does not teach or suggest “simultaneously displaying together each one of the retrieved webpages in a single window” as required by claim 27.

In summary, the combination of Allard and Yonezawa, does not teach or suggest, “simultaneously displaying together each one of the retrieved webpages in a single window.” Thus, there is no prima facie case of obviousness for independent claim 27 and any associated dependent claims. Independent claims 1, 48 and 55 and associated dependent claims 2-26, 48 and 56-60 are patentable over the combination of Allard and Yonezawa for

analogous reasons as those explained with respect to claim 27. Applicants respectfully request that this rejection be withdrawn.

**B. Rejection of claims 32-34 and 40-43 under 35 U.S.C. 103(a) as being unpatentable over Himmel et al. (US 6,211,874) in view of Gibson (US 6,313,854) and further in view of Kaply (US 6,215,490).**

- 1. The combination of Himmel, Gibson and Kaply fails to teach a sub-framed array that is configured to be independently and selectively scrolled without user interaction other than initiating such scrolling of a respective one of the plurality of sub-framed arrays.**

Claim 32 requires:

a single webpage including a plurality of sub-framed arrays, each of the sub-framed arrays including a frame with a plurality of thumbnails and a plurality of independently selectable sub-frames;

the plurality of sub-framed arrays being configured to be independently and selectively scrolled without user interaction other than a user initiating such scrolling of a respective one of the plurality of sub-framed arrays; and

the plurality of sub-framed arrays being configured, when scrolling without user interaction, to be independently stopped by the user.  
(Emphasis added).

The cited references disclose windows that are capable of being scrolled through the manual selection of scroll bars. In other words, the cited references require continued selection of the scroll bars to scroll a page. In contrast, claim 32 requires “the plurality of sub-framed arrays being configured to be independently and selectively scrolled without user interaction other than a user initiating such scrolling of a respective one of the plurality of sub-framed arrays.” In words, after initiating scrolling, the sub-framed arrays are scrolled without user interaction.

Himmel discloses selecting multiple links and displaying a window for each of the selected links. (Himmel, col. 7 lines 19-36) Gibson discloses detecting a webpage with multiple frames and displaying the frames as separate windows. (Gibson, col. 8, lines 6-43). Kaply discloses windows that contain scroll bars. (Figure 5A) The windows in Himmel, Gibson and Kaply contain scroll bars that enable a user to scroll through portions of the content displayed in the windows. It is noted that to scroll a window a user has to select a scroll icon, and continue to select the scroll icon to make a window scroll. Since a user can only select one window at a time, a user can only scroll one window at a time. In other

words, the windows in Himmel, Gibson and Kaply disclose a plurality of windows that are capable of being manually scrolled one at a time. In contrast, the current claims require “the plurality of sub-framed arrays being configured to be independently and selectively scrolled without user interaction other than a user initiating such scrolling of a respective one of the plurality of sub-framed arrays.”

Thus, the combination of Himmel, Gibson and Kaply, does not teach or suggest, “the plurality of sub-framed arrays being configured to be independently and selectively scrolled without user interaction other than a user initiating such scrolling of a respective one of the plurality of sub-framed arrays.” Thus, there is no prima facie case of obviousness for independent claim 32 and dependent claims 33-47 and 63-65. Applicants respectfully request that this rejection be withdrawn.

**C. Rejection of claims 31 and 49 under 35 U.S.C. 103(a) as being unpatentable over Allard et al. (US 6,249,773) in view of Yonezawa et al. (US 5,905,973) and further view of Daughtrey (US 7,409,643).**

Claims 31 and 49 depend from independent claims 27 and 48 respectively. Therefore, dependent claims 31 and 49 include each and every limitation of independent claims 27 and 48, respectively. As discussed above, the combination of Allard and Yonezawa does not teach all of the limitations of independent claims 27 and 48. Daughtrey is not cited for and does not teach the missing limitations. Because Allard, Yonezawa and Daughtrey, either alone or in combination, do not teach the missing limitations, there is no prima facie case of obviousness for independent claims 27 and 48 and dependent claims 31 and 49. Applicants respectfully request that this rejection be withdrawn.

**D. Rejection of claim 25 under 35 U.S.C. 103(a) as being unpatentable over Allard et al (US 6,249,773) in view of Yonezawa et al. (US 5,905,973) and further view of Szabo (US 5,954,640).**

Claim 25 depends from independent claim 1. Therefore, dependent claim 25 includes each and every limitation of independent claim 1. As discussed above, the combination of Allard and Yonezawa does not teach all of the limitations of independent claim 1. Szabo is not cited for and does not teach the missing limitations. Because Allard, Yonezawa and Szabo, either alone or in combination, do not teach at least these claim limitations, there is no prima facie case of obviousness for independent claim 1 and associated dependent claim 25. Applicants respectfully request that this rejection be withdrawn.

**E. Rejection of claim 35 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further view of Gavron et al. (“Gavron”, “How to Use Microsoft Windows NT 4 Workstation”).**

Claim 35 depends from independent claim 32. Therefore, dependent claim 35 includes each and every limitation of independent claim 32. As discussed above, the combination of Himmel, Gibson and Kaply does not teach all of the limitations of independent claim 32. Gavron is not cited for and does not teach the missing limitations. Because Himmel, Gibson, Kaply and Gavron, either alone or in combination, do not teach at least these claim limitations, there is no prima facie case of obviousness for independent claim 32 and associated dependent claim 35. Applicants respectfully request that this rejection be withdrawn.

**F. Rejection of claim 36 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further in view of Tang et al. (US 5,793,365).**

Claim 36 depends from independent claim 32. Therefore, dependent claim 36 includes each and every limitation of independent claim 32. As discussed above, the combination of Himmel, Gibson and Kaply does not teach all of the limitations of independent claim 32. Tang is not cited for and does not teach the missing limitations. Because Himmel, Gibson, Kaply and Tang, either alone or in combination, do not teach at least these claim limitations, there is no prima facie case of obviousness for independent claim 32 and associated dependent claim 36. Applicants respectfully request that this rejection be withdrawn.

**G. Rejection of claims 37-39 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further in view of Itoh (US 5,966,122).**

Claims 37-39 depend from independent claim 32. Therefore, dependent claims 37-39 include each and every limitation of independent claim 32. As discussed above, the combination of Himmel, Gibson and Kaply does not teach all of the limitations of independent claim 32. Itoh is not cited for and does not teach the missing limitations. Because Himmel, Gibson, Kaply and Itoh, either alone or in combination, do not teach at least these claim limitations, there is no prima facie case of obviousness for independent claim 32 and associated dependent claims 37-39. Applicants respectfully request that this rejection be withdrawn.

**H. Rejection of claim 44 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further in view of Moore et al. (US 6,330,575).**

Claim 44 depends from independent claim 32. Therefore, dependent claim 44 includes each and every limitation of independent claim 32. As discussed above, the combination of Himmel, Gibson and Kaply does not teach all of the limitations of independent claim 32. Moore is not cited for and does not teach the missing limitations. Because Himmel, Gibson, Kaply and Moore, either alone or in combination, do not teach at least these claim limitations, there is no prima facie case of obviousness for independent claim 32 and associated dependent claim 44. Applicants respectfully request that this rejection be withdrawn.

**I. Rejection of claim 45 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further view of Collins-Rector et al. (US 6,188,398).**

Claim 45 depends from independent claim 32. Therefore, dependent claim 45 includes each and every limitation of independent claim 32. As discussed above, the combination of Himmel, Gibson and Kaply does not teach all of the limitations of independent claim 32. Collins-Rector is not cited for and does not teach the missing limitations. Because Himmel, Gibson, Kaply and Collins-Rector, either alone or in combination, do not teach at least these claim limitations, there is no prima facie case of obviousness for independent claim 32 and associated dependent claim 45. Applicants respectfully request that this rejection be withdrawn.

**J. Rejection of claim 46 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and further view of Applicant's admitted prior art.**

Claim 46 depends from independent claim 32. Therefore, dependent claim 46 includes each and every limitation of independent claim 32. As discussed above, the combination of Himmel, Gibson and Kaply does not teach all of the limitations of independent claim 32. The Applicant's admitted prior art is not cited for and does not teach the missing limitations. Because Himmel, Gibson, Kaply and Applicant's admitted prior art, either alone or in combination, do not teach at least these claim limitations, there is no prima



facie case of obviousness for independent claim 32 and associated dependent claim 46. Applicants respectfully request that this rejection be withdrawn.

**K. Rejection of claim 47 under 35 U.S.C. 103(a) as being unpatentable over Himmel (US 6,211,874) in view of Gibson (US 6,313,854) and Kaply (US 6,215,490) and Applicant's admitted prior art and further in view of Lyengar et al. (US 6,360,205).**

Claim 47 depends from independent claim 32. Therefore, dependent claim 47 includes each and every limitation of independent claim 32. As discussed above, the combination of Himmel, Gibson and Kaply does not teach all of the limitations of independent claim 32. Applicant's admitted prior art and Lyengar are not cited for and do not teach the missing limitations. Because Himmel, Gibson, Kaply, Applicant's admitted prior art and Lyengar, either alone or in combination, do not teach at least these claim limitations, there is no prima facie case of obviousness for independent claim 32 and associated dependent claim 47. Applicants respectfully request that this rejection be withdrawn.

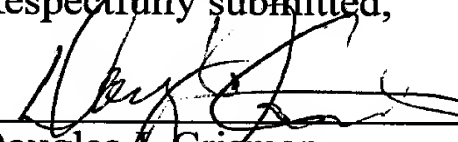
### **CONCLUSION**

By responding in the foregoing remarks only to particular positions asserted by the Examiner, the Applicants do not necessarily acquiesce in other positions that have not been explicitly addressed. In addition, the Applicants' arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at (650) 843-4000, if a telephone call could help resolve any remaining items.

Respectfully submitted,

Date: August 20, 2009

  
\_\_\_\_\_  
Douglas J. Crisman  
**MORGAN, LEWIS & BOCKIUS LLP**  
2 Palo Alto Square  
3000 El Camino Real, Suite 700  
Palo Alto, CA 94306  
(650) 843-4000

39,950  
(Reg. No.)